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June 17, 2013

Mr. Michael Robertson, P.E.  
Program Manager  
Gas Safety and Reliability Branch  
Consumer Protection and Safety Division  
California Public Utilities Commission  
320 W. Fourth Street, Suite 500  
Los Angeles, CA 90013

Dear Mr. Robertson:

The staff of Safety and Enforcement Division (SED), formerly the Consumer Protection and Safety Branch (CPSD) of the California Public Utilities Commission conducted a General Order (GO) 112-E audit of Southern California Gas Company's (SoCalGas) and San Diego Gas and Electric (SDG&E) Company's Public Awareness (PA) Program on December 14-16, 2011, January 31, 2012 and February 1, 2012. Herein, the two companies will be referred to collectively as the "Sempra Utilities."

In your letter dated April 19, 2013 and received on April 22, 2013, you attached a document entitled "Sempra Utilities Audit Observation Summary," which was based on a Pipeline and Hazardous Materials Safety Administration Public Awareness Program Effectiveness Inspection Form (Form 21). No probable violations were observed. Staff made recommendations and requested a written response within thirty days of our receipt indicating the measures taken by the Sempra Utilities. Attached, is our written response and proposed enhancements.

The Sempra Utilities look forward to working with you and your staff to address the audit recommendations and any other concerns you might have. Please feel free to contact me at (213) 305-8660, if you have any questions or need additional information.

Sincerely,



W. Jeff Koskie  
Pipeline Safety and Compliance Manager

Attachment

cc: Matthewson Epuna, SED/GSRB-Los Angeles  
Michelle Wong, SED/GSRB - Los Angeles

Attachment 1  
Response to Audit Recommendations

Audit Observation

**A. Audit Observations Identified in Protocol 1.02, Management Support, Reference Title 49, Code of Federal Regulations (CFR) §192.616 (a).**

Protocol 1.02 states:

*"Does the operator's program include a statement of management support (i.e., is there evidence of a commitment of participation, resources, and allocation of funding)?"*

Sempra Utilities reviews and updates its Public Awareness Program (PAP) Plan annually. However, the tracking mechanism for all changes to the PAP Plan does not appear to have a process for documenting or summarizing all the official changes from the previous version to the latest version. SED recommends that Sempra Utilities outline a mechanism for tracking and documenting all substantive changes to the PAP Plan including changes of signatories.

Response

We reviewed our existing process for documenting annual changes to our PA Program. We believe our process engages the signatories to review the program changes and memorialize their approval.

Measure Taken

As an enhancement, we modified our PA Program to include a written summary of the changes from one PA Program to the next and will add a signature page to memorialize the approvals of plan changes.

## Audit Observation

### **C. Audit Observations Identified in Protocol 1.04, Stakeholder Audience Identification Reference Title 49 CFR §192.616 (d), (e), and (f)**

Protocol 1.04 states:

*"Does the operator's program establish methods to identify the individual stakeholders in the four affected stakeholder audience groups: (1) affected public, (2) emergency officials, (3) local public officials, and (4) excavators, as well as affected municipalities, school districts, businesses, and residents?"*

Title 49 CFR §192.616 (f) requires:

*"The program and the media used must be as comprehensive as necessary to reach all areas in which the operator transports gas."*

Sempra Utilities PAP Plan has adequate methods to identify the individual stakeholders in the four affected stakeholder audience groups. However, SED recommends that Sempra Utilities establish a verification process that its vendors are not missing identification of any stakeholder group and to validate the vendors measurement of the percentage of stakeholders reached.

## Response

The Audit Observation correctly notes that we have adequate methods for identifying individual stakeholders in the four affected audience groups.

## Measure Taken

Consistent with our commitment to continuous improvement, we are reviewing our PA Program and processes used to select vendors to identify potential enhancements. Further, we are reviewing our process for verifying audience identification and validating the vendors' measurements of reach.

## Audit Observation

### **D. Audit Observations Identified in Protocol 2.01, English and other Languages, Reference Title 49 CFR §192.616 (g)**

Protocol 2.01 states:

*"Did the operator develop and deliver materials and messages in English and in other languages commonly understood by a significant number and concentration of non-English speaking populations in the operator's areas?"*

Title 49 CFR §192.616 (g) requires:

*"The program must be conducted in English and in other languages commonly understood by a significant number and concentration of the non-English speaking population in the operator's area."*

Sempra Utilities developed and delivered materials and messages in other languages to non-English speaking populations in its service territories. Sempra Utilities uses the data gathered from the American Community Survey and U.S. Census, and 1% of its service territory population threshold that do not, or minimally, speak English as its methodology to determine the need to communicate in other languages. However, this methodology is not included in its PAP Plan. SED recommends that Sempra Utilities incorporate into its PAP Plan this, methodology to determine what languages it needs to communicate to stakeholder audiences.

## Response

The Audit Observation correctly notes that we have developed and do deliver materials and messages in other languages to non-English speaking populations using data gathered from the American Community Survey and U.S. Census. As further noted, our methodology for doing so was not previously described within our PA Program.

## Measure Taken

We incorporated our methodology for providing materials in other languages to non-English speaking populations into our PA Program Appendix.

## Audit Observation

### **E. Audit Observations Identified in Protocol 2.02, Message Type and Content, Reference Title 49 CFR §192.616 (d) and (f)**

Protocol 2.02 states:

*"Did the messages the operator delivered specifically include provisions to educate the public, emergency officials, local public officials, and excavators on the:*

- Use of a one-call notification system prior to excavation and other damage prevention activities;*
- Possible hazards associated with unintended releases from a gas, hazardous liquid, or carbon dioxide pipeline facility;*
- Physical indications of a possible release;*
- Steps to be taken for public safety in the event of a gas, hazardous liquid, or carbon dioxide pipeline release; and*
- Procedures to report such an event (to the operator)?"*

Title 49 CFR §192.616 (f) requires:

*"The program and the media used must be as comprehensive as necessary to reach all areas in which the operator transports gas."*

Sempra Utilities has a messaging process for emergency officials and public officials during major construction events. SED recommends that Sempra Utilities continue to monitor and evaluate the process it uses to address return and undelivered mailings that target different stakeholder audiences and include the specific information in the Pipeline Association for Public Awareness (PAPA) documentation if these are baseline messages and not supplemental. Sempra Utilities should also send targeted mailings to online billed customers if it is unable to measure the percentage of its online billed customers that read the online bill message in its entirety, as a means to increase awareness to these customers. At the same time, Sempra Utilities should implement a process to verify that the emergency responders are receiving all the information from PAPA and they know which company to call during an emergency.

#### Response:

We reviewed the three aspects of our PA Program noted above. We use PAPA materials to supplement our communications with first responders. As noted, we are reviewing how we address messages to online bill customers and emergency responders. Although we make every effort to encourage customers to read our pipeline safety materials, there is no regulatory requirement that a recipient do so. It is our goal and continuous pursuit to monitor, evaluate and modify our Public Awareness communications to capture the attention of our customers and first responders and get them to not only read the entire materials but to understand them as well.

#### Measure Taken

We enhanced our communications to emergency responders, especially to the county coordinators, by using a more targeted approach and providing more specific information, including which phone numbers to call. We will continue to use PAPA as a supplemental communication source, but rely on our internal resources to deliver the baseline messages.

As for online billed customers, we are reviewing and evaluating our processes to identify potential modifications to enhance our outreach to this audience.

## Audit Observation

### **F. Audit Observations Identified in Protocol 2.03, Message on Pipeline Facilities Locations, Reference Title 49 CFR §192.616 (e) and (f)**

Protocol 2.03 states:

*"Did the operator develop and deliver messages to advise affected municipalities, school districts, businesses, and residents of pipeline facility location?"*

Title 49 CFR §192.616 (e) requires:

*"The program must include activities to advise affected municipalities, school districts, businesses, and residents of pipeline facilities locations."*

Sempra Utilities delivers messages to the affected entities noted in Title 49 CFR §192.616(e). Some of these entities have master-metered or yard gas pipeline systems that may not be properly maintained. SED recommends that Sempra Utilities evaluate the extent of this problem and at the very least incorporate targeted messages to the schools with this problem and the actions it should take to prevent a gas incident.

#### Response:

Our current in-bill messaging provides customers information sufficient to remind them of their responsibility to properly maintain their house and yard lines. Further, master meter facilities are obligated under Title 49 CFR §192.616 to provide messaging as well.

#### Measure Taken

Although we are in full compliance with 49 CFR 192.616, consistent with our commitment to continuous improvement, we are nevertheless considering whether there may be ways to supplement PA messages on yard line maintenance without interfering with or diluting our primary Public Awareness objectives.



## Audit Observation

### **G. Audit Observations Identified in Protocol 2.04, Baseline Message Delivery Frequency, Reference Title 49 CFR §192.616 (c)**

Protocol 2.04 states:

*"Did the operator's delivery for materials and messages meet or exceed the baseline frequencies specified in API RP 1162, Table 2-1 through Table 2.3? If not, did the operator provide justification in its program or procedural manual?"*

Damages due to excavation are the biggest threat to Sempra Utilities gas pipeline facilities. SED recommends that Sempra Utilities improve its PAP Plan to include supplemental direct mailings or any other effective communication medium to excavators that have caused the most excavation damages within the top five counties out of the 13 counties where excavation damage occurs in its pipeline territory. Sempra Utilities should expand this effort to track the mailings and analyze the effectiveness of its messaging to excavators in these top five counties and make changes accordingly when a county is removed or added to the top five ranking.

## Response

We reviewed our process to identify and focus on 811/excavator meetings in those areas that show a trend in damages and believe the process is configured appropriately. Our process does take into account the trends and location changes in trends with respect to damages. Accordingly, we continuously modify our meeting locations to communicate in those cities.

## Measure Taken

Our process for identifying and communicating in areas that show a trend in damages is appropriate. Consistent with our commitment to continuous improvement, we are nevertheless reviewing that process to address "repeat offenders" to develop additional communications that may potentially be beneficial.



## Audit Observation

### **H. Audit Observations Identified in Protocol 2.06, Maintaining Liaison with Emergency Response Officials, Reference Title 49 CFR §192.616 (c)**

Protocol 2.06 states:

*"Did the operator establish and maintain liaison with appropriate fire, police, and other public officials to: learn the responsibility and resources of each government organization that may respond, acquaint the officials with the operator's ability in responding to a pipeline emergency, identify the types of pipeline emergencies of which the operator notifies the officials, and plan how the operator and other officials can engage in mutual assistance to minimize hazards to life or property? "*

Title 49 CFR §192.616 (c) requires:

*"The operator must follow the general program recommendations, including baseline and supplemental requirements of API RP 1162, unless the operator provides justification in its program or procedural manual as to why compliance with all or certain provisions of the recommended practice is not practicable and not necessary for safety."*

SED recommends that Sempra Utilities clearly define the responsible positions or persons who will contact emergency responders in the event of an incident/emergency that meets certain criterion. Also, Sempra Utilities should define and formalize roles for individuals that will respond to major emergencies. In addition, Sempra Utilities should complete its Incident Command Center system and determine the appropriate and applicable information from its Emergency Response (ER) Plan to share with Emergency Responders and ensure it is easily assessable. Sempra should also review elected official ER lists to ensure there is adequate contact information to reach out to each Emergency Official stakeholder audience.

## Response

We reviewed our communications and messages to emergency responders and adopted and implemented an Incident Command Center (ICS). Through ICS, we will communicate in the local vernacular of emergency responders and more clearly communicate roles and responsibilities. Further, we have on-going communications at the local level to reinforce the commitment of ICS and provide a forum for first responders and company personnel to exchange information. The forum creates an opportunity to answer questions, share response capabilities, and clarify roles and responsibilities.

## Measure Taken

We implemented the ICS system and modified our approach to local outreach efforts. We are also planning to meet with local officials to identify additional ways to enhance our communication process.

## Audit Observation

### **I. Audit Observations Identified in Protocol 3.01 Measuring Program Implementation Reference Title 49 CFR Part 192, §§192.616 (c) and 192.616 (i)**

Protocol 3.01 states:

*"Has the operator performed an audit or review of its program implementation annually since it was developed? If not, did the operator provide valid justification for not using one of these methods?"*

Title 49 CFR §192.616 (c) requires:

*"The operator must follow the general program recommendations, including baseline and supplemental requirements of API RP 1162, unless the operator provides justification in its program or procedural manual as to why compliance with all or certain provisions of the recommended practice is not practicable and not necessary for safety."*

SED recommends that Sempra Utilities clearly define who is responsible to initiate "Program Evaluation and Continuous Improvement (Annual Audits). In addition, Sempra Utilities should track and document all necessary evidence to demonstrate performance of Annual Audits and implementation of changes that the Annual Audits revealed.

## Response

We reviewed our PA Program and determined that Section 8 can be enhanced to more clearly identify the roles and responsibilities for initiating annual audits.

## Measure Taken

We will enhance our PA Program to memorialize the roles and responsibilities of the Public Awareness Administrator for initiating and documenting annual audits.

## Audit Observation

### **J. Audit Observations Identified in Protocol 3.02, Acceptable Methods for Program Implementation Audits, Reference Title 49 CFR §192.616 (c)**

Protocol 3.02 states:

*"Did the operator use one or more of the three acceptable methods (i.e. internal assessment, 3rd party contractor review, or regulatory inspections) to complete the annual audit or review of its program implementation. If not, did the operator provide justification in its program or procedural manual?"*

Sempra Utilities conducted the Annual Audits and the Effectiveness Evaluation review in accordance with regulation. Although the Annual Audits and Effectiveness Evaluation reviews were in compliance, Sempra Utilities PAP Plan did not have sufficient detail on the process for conducting/analyzing the results of the recommendations arising from the audits and reviews, and how it will address the recommendations. SED recommends that Sempra Utilities expand Section 8 (Program Evaluation) of its PAP Plan to include specifics on the responsibilities of the individuals and a detail process of how they will be implemented.

## Response

We reviewed our PA Program and determined that Section 8 can be enhanced to more clearly describe the annual audit process.

## Measure Taken

We will revise our PA Program to more clearly describe our annual audit process.

## Audit Observation

### **K. Audit Observations Identified in Protocol 4.01, Evaluating Program Effectiveness, Reference Title 49 CFR §192.616 (c)**

Protocol 4.01 states:

*"Did the operator perform an effectiveness evaluation of its program (or no more than 4 years following the effective date of program implementation) to assess its program effectiveness in all areas along all systems covered by its program? If not, did the operator provide justification in its program or procedural manual?"*

Sempra Utilities conducted the Annual Audits and the Effectiveness Evaluation reviews in accordance with the regulation. Although the Annual Audits and Effectiveness Evaluation review were in compliance, Sempra Utilities PAP Plan did not have sufficient detail on the process for conducting/analyzing the results of the recommendations arising from the audits and reviews and how it will address the recommendations. SED recommends that Sempra Utilities expand Section 8 (Program Evaluation) of its PAP Plan to include specifics on the responsibilities of the individuals and a detail process of how they will be implemented.

SED recommend that the PAP Plan include trending of effectiveness surveys after the first effectiveness evaluation cycle, track and trend 3rd party incidents that include near misses, and consequences (failures that cause release of gas and others that do not result in failures such as scratches, dents and etc.) for transmission and distribution pipelines.

## Response

We reviewed our PA Program with respect to effectiveness measurement and observed that it is very difficult to glean any meaningful observations specific to near misses from available data. It appears that calls to report near misses are rare, so there are very few near misses reported. In most cases, dents, scratches, etc. are discovered during patrols or other surveillance activities by company personnel, not through third-party reports. We will continue our ardent efforts to remind excavators and others that dig to call 811.

## Measure Taken

As we are in compliance with 49 CFR 192.616, and there is insufficient data available to effectively implement SED's recommendation, we have not incorporated any further enhancements.